

compact, if the overturn of General Hunt were to be even reserved for future consideration, as this would amply a disposition on our part to espouse the quarrel of Texas with Mexico, a disposition wholly at variance with the spirit of the treaty with the uniform policy and the obvious welfare of the U. S.

"The inducements mentioned by Gen. Hunt for the United States to annex Texas to their territory, are duly appreciated, but powerful and weighty as certainly they are, they are light when opposed in the scale of reason to treaty obligations, and respect for that integrity of character by which the United States have sought to distinguish themselves since the establishment of their right to claim a place in the great family of nations."

The intimation in Gen. Hunt's letter that Texas might be induced to extend commercial advantages to other nations to the prejudice of the United States, was thus noticed:

"It is presumed, however, that the motives by which Texas has been governed in making this overture, will have equal force in impelling her to preserve, as an independent power the most liberal commercial relations with the United States. Such a disposition will be cheerfully met, in a corresponding spirit, by this government. If the answer which the undersigned has been directed to give to the proposition of Gen. Hunt should unfortunately work such a change in the sentiments of that government as to induce an attempt to extend commercial relations elsewhere, upon terms prejudicial to the United States, this government will be consoled by the rectitude of its intentions, and a certainty that, although the hazard of transient losses may be incurred by a rigid adherence to just principles, no lasting prosperity can be secured when they are disregarded."

That these views were not altogether satisfactory to Gen. Hunt, nor probably to his government, has been seen. But I think I may safely say that seldom, if ever, has the decision, by this government, of a question of equal magnitude, been more decidedly or more unanimously approved by the people of the United States. The correspondence was, very soon after it took place, communicated to Congress, and although the public mind was at that time in a state of the highest excitement, and the administration daily assailed through every avenue by which it was deemed approachable, I am yet to see the first sentence of complaint upon that point, in any quarter of the Union. Even a resolution offered in the Senate, declaring annexation, "whenever it could be effected consistently with the public faith and treaty stipulations of the United States, desirable," was ordered to be laid upon the table; and a similar disposition was made in the House of the papers upon the subject, which had been referred to the Committee on Foreign Relations, and the committee was discharged from the further consideration of the matter upon its own application. Nor were the friendly relations then existing between that republic and the U. States—to its honor let it be said—in any perceptible degree impaired by this decision.

Standing in this position before the country it becomes my duty to consider whether either the nature of the question, or the circumstances of the case, have so far changed as to justify me in now advising a policy from which I then in the most solemn form dissented.

In giving to you, and through you to the public, the result of a very careful and dispassionate examination of this grave question, I should neither do justice to yourself, to the patriotic State which you, in conjunction with others, are to represent in the Convention, to the people of the United States, nor to my own position, if I failed to accompany it with a brief exposition of the grounds upon which I have proceeded. It is in that way only that justice can be done to my intentions; and that is all I desire. The annexation of the territory, and the consequent assumption by us of a responsibility to protect and defend its inhabitants; would, in respect to the consideration to which I am about to refer, stand upon the same footing with that of its admission as a State. The recognition of Texas as an independent State, was a measure which received, in various and appropriate forms, the sanction of every department of the government, whose co-operation was necessary to its validity, and had my hearty concurrence. From this act of our government, just and proper in all respects as it was, an inference has, however, been drawn, and brought to bear upon the present question, not only very far beyond its real bearing, but by which its true character is entirely reversed. Many persons who enter upon the consideration of the subject with the purest intentions, and are incapable of knowingly giving a false interpretation to any thing connected with it, take it for granted that the United States, in recognizing the independence of Texas, declared to the world, not only that she was independent in fact, but also she was such of right. Acting upon this erroneous construction, they very

naturally conclude, that having gone thus far, having examined into and passed not only upon the existence of her independence, but also upon her right to its employment, it is now (and more especially after the lapse of several years) too late to hesitate upon the question of annexation on the ground of any existing controversy upon those points. The fallacy of this reasoning will be apparent when it is considered that the usage of nations to acknowledge the government, *de facto*, of every country, was established for the express purpose of avoiding all enquiry into, or the expression of any opinion upon, the question of right between the contending parties. They acknowledge no other power in any country than that which is in fact supreme. They cannot inquire beyond that point without interfering with the internal concerns of other nations—a practice which all disclaim, and a disclaimer which it has been our invariable usage not only to make, but to enforce with scrupulous fidelity.

To recognize the independence of the government *de facto*, is also a matter of state necessity; for without it, neither commercial nor diplomatic intercourse between any such power and the nations of the world could be carried on with success; and the social interests of mankind require that these should not be arrested by quarrels between contending parties, in regard to their respective right to supreme power. In respect to all beyond this, the laws and usages of nations require the observance of a strict neutrality between the contending parties, as long as the war lasts. It is due, also, from every government to its own citizens, to declare when a revolted colony shall be regarded as an independent nation, because "it belongs to the government alone to make the declaration;" and because, "until it is made, or the parent state relinquishes her claims, courts of justice must consider the ancient state of things as remaining undisturbed, and the sovereign power of the parent State over that colony as still subsisting." But nothing can be farther from giving to the act of recognition its true character, than to suppose that it has the slightest bearing upon the rights of the parties; it being, as I have already said, resorted to for express purpose of avoiding any such construction. Such is not only the law and usage of nations, but such also have been the reiterated avowals of our own government. I do not remember that the recognition of Texas independence gave rise to any correspondence between Mexico and our government; and if it did, I have not the means of stating its character.—But the principles upon which all such acts are based, were fully set forth by this government upon the occasion of the recognition of the independence of the Spanish American States. In the message of President Monroe, to the House of Representatives, suggesting the propriety of that recognition, it was expressly declared that, in proposing this measure, it was "not contemplated to change thereby, in the slightest manner, our friendly relations with either of the parties; but to observe in all respects as heretofore, should the war be continued, the most perfect neutrality between them."

The Committee on Foreign Affairs, in their elaborate report upon the subject, say: "our recognition must necessarily be coexistent only with the fact on which it is founded, and cannot survive it. While the nations of South America are actually independent, it is simply to speak the truth to acknowledge them to be so. Should Spain, contrary to her avowed principle and acknowledged interest, renew the war for the conquest of South America, we shall, indeed, regret it; but we shall observe as we have done between the independent parties, an honest and impartial neutrality." The Secretary of State, in defence of the act of recognition, said to the Spanish minister: "This recognition is neither intended to invalidate any right of Spain, nor to effect the employment of any means which she may yet be disposed or enabled to use, with the view of reuniting those provinces to the rest of her dominions." That those avowals were in strict conformity to the true principles of the law of nations, there can be no doubt.—They were at all events, those which this government has solemnly announced as its rule of action in regard to contests between rival parties for the supreme power in foreign States. That the admission of Texas as a member of this confederacy, whilst the contest for the maintenance of the independence she had acquired was still pending, and a consequent assumption of the responsibility of protecting her against invasion, would have been a plain departure from the laws and usages of nations, and a violation of the principles to which we had avowed our adherence in the face of the world, was too clear to be doubted. Thus believing, I had, on the occasion to which I have referred, in the faithful discharge of the trust which the people had reposed in me, but one course to pursue, and that was

promptly, but respectfully adopted.

I return now to the question: Has the condition of the contest between Texas and Mexico, for the sovereignty of the former, so far changed as to render these principles now inapplicable? What is the attitude which these two states at this moment occupy towards each other? Are they at war, or are they not? We cannot evade this question if we would. To enumerate all the circumstances bearing upon it, in a communication like this, would be impracticable, nor is it necessary. In respect to the parties themselves, there would seem to be no misunderstanding upon the subject. Mexico has been incessant in her avowals, as well to our government as to others, of the continuance of the war, and of her determination to prosecute it. How does Texas regard her position in respect to the war with Mexico? Three years subsequent to our recognition of her independence, we find her entering into a stipulation with a foreign power to accept of her mediation to bring about a cessation of hostilities between her and Mexico, engaging to assume a million sterling of the debt due from Mexico to the subjects of that power, if she through her influence, obtained from Mexico an unlimited truce in respect to the war then raging between her and Texas within one month, and a treaty of peace in six.—As late as last June, we see a proclamation of the President of Texas, declaring a suspension of hostilities between the two powers during the pendency of negotiations to be entered upon between them, issued on supposition that a similar proclamation would be issued by Mexico, and actual hostilities are now only suspended by an armistice to be continued for a specified and short period, for the sake of negotiation. Nor are our own views upon the point less explicit. In the published letter of the late Secretary of State, to the Mexican Minister at Washington, written in December last, he says: "Nearly eight years have elapsed since Texas declared her independence. During all that time Mexico has asserted her right of jurisdiction and dominion over that country, and has endeavored to enforce it by arms." In the President's message to Congress, it is stated "That the war which has existed for so long a time between Mexico and Texas, has, since the battle of San Jacinto, consisted for the most part of predatory incursions, which, while they have been attended with much of suffering to individuals, and kept the borders of the two countries in a state of constant alarm, have failed to approach to any definite result." And after commenting with much truth upon the insufficiency of the armistices which Mexico has fitted out for the subjection of Texas—on the length of time which has elapsed since the latter declared her independence—on the perseverance, notwithstanding, in plans of reconquest by Mexico—on her refusal to acknowledge the independence of Texas, and on the evils of border warfare, the message adds: "The United States have an immediate interest in seeing an end put to the state of hostilities between Mexico and Texas;" following up the remark with a forcible remonstrance against the continuance of the war, and a very just and impressive statement of the reasons why it should cease. This remonstrance is, in my opinion, entirely just and perfectly proper. The government of the United States should be at all times ready to interpose its good offices to bring about a speedy, and, as far as practicable, a satisfactory adjustment of this long-pending controversy. Its whole influence should be exerted, constantly, zealously, and in good faith, to advance so desirable an object; and in the process of time it can, without doubt, be accomplished. But what, my dear sir, is the true and undisguised character of the remedy for these evils, which would be applied by the "immediate annexation of Texas to the United States?" Is it more or less than saying to Mexico, We feel ourselves aggrieved by the continuance of this war between you and Texas; we have an interest in seeing it terminated: we will accomplish that object by taking the disputed territory to ourselves, we will make Texas a part of the United States, so that those plans of reconquest, which we know you are maturing, to be successful, must be made so against the power that we can bring into the contest: if the war is to be continued as we understand to be your design, the United States are henceforth to be regarded as one of the belligerents?

We must look at this matter as it really stands. We shall act under the eye of an intelligent, observing world; and the affairs cannot be made to wear a different aspect from what it derives, if even we had the disposition (which we have not) to throw over it disguises of any kind. We should consider whether there is any way in which the peace of this country can be preserved, should an immediate annexation take place, save one—and that is, according to present appearances, the improbable event that Mexico will be deterred from

the farther prosecution of the war by apprehension of our power. How does that matter stand? She has caused us to be informed, both at Mexico and here, in a manner the most formal and solemn, that she will feel herself constrained, by every consideration that can influence the conduct of a nation, to regard the fact of annexation as an act of war on the part of the United States, and that she will notwithstanding, prosecute her attempts to regain Texas, regardless of consequences. Exceptions are, however, taken by the President, and I think very justly taken, to the manner in which this determination has been announced. The Mexican government should certainly have replied in a becoming spirit to ours for explanations of its intention. If it found this government under the impression that Mexico, although it might not be willing to acknowledge its independence, had abandoned all serious hope of reconquering Texas, Mexico should have assured us of our error, and remonstrated against any action on our part based on that erroneous assumption, declared firmly, if it pleased, but in that courteous and respectful manner which is alone suited to the intercourse between nations who profess to be friends, its determination to oppose us. Instead of taking a course, the propriety of which was so obvious, she first assumes upon grounds which were neither proper nor safe for her to act upon, that this government had designs upon Texas; then denounces the annexation as a great national crime, and forthwith proclaims in instant war as the penalty of our persisting in such an attempt; and all this in language bearing certainly, (although subsequently disavowed,) every appearance of menace.

But this is a besetting, and very ancient foible of the mother country, as well as of her descendants, in their diplomatic intercourse. Every one conversant with the subject of Spanish relations knows that, at least from the time of Don Louis d'Onis to the present day this government has been frequently subjected to this species of diplomatic dogmatism. Partly in consequence of the genius of their language; partly from their peculiar temperament; much from habit but more from a radical defect of judgment—they continue the use of language in their state papers, which better tempered, if not wiser diplomatists have almost everywhere laid aside as worse than useless. But at no time has our government suffered its action upon great national questions to be influenced by such petulance. From the time of the modest, yet firm Madison, to the late Mr. Upshur, (whose melancholy fate is so justly and generally lamented,) has every Secretary of State, acting under the direction of the executive, deemed it sufficient to place the government and minister employing it in the wrong, by showing its injustice as well as its futility. We have then heretofore, as I hope we shall now, decided to act in the matter under consideration in a manner which was deemed due to justice and to our own character, without being in any degree influenced by such unavailing menaces. It is foreign to my habit, and repugnant to my feelings, to say anything that should offend the pride of any nation, if the declarations of individuals could possibly have that effect, being sincerely desirous that the United States should cultivate friendly relations with all. But with a population not equal to half that of the United States, and laboring under many and serious disadvantages, from which we are comparatively free, Mexico could not, with propriety, be offended by the assumption that this government may act as it would have done had no such menace been made, without the slightest danger of being regarded by the rest of the world, as having been intimidated by threats of war from that republic. So at least I should act, if the direction of public affairs were in my hands. The question then recurs, if, as sensible men, we cannot avoid the conclusion that the immediate annexation of Texas would, in all human probability, draw after it a war with Mexico, can it be expedient to attempt it? Of the consequences of such a war, the character it might be made to assume, the entanglements with other nations which the position of a belligerent almost unavoidably draws after it, and the undoubted injuries which might be inflicted upon each, notwithstanding the great disparity of their respective forces, I will not say a word. God forbid that an American citizen should ever count the cost of as appeal to what is appropriately denominated the last resort of nations, whenever that resort becomes necessary for the safety or to vindicate the honor of his country. There is, I trust, not one so base as not to regard himself, and all he has, to be forever and at all times subject to such a requisition. But would a war with Mexico, brought on under such circumstances be a contest of that character? Could we hope to stand perfectly justified in the eyes of mankind for entering into it; more especially if its commencement is to be preceded by the appropriation to our own

uses of the territory, the sovereignty of which is in dispute between two nations one of which we are to join in the struggle? That, sir, is a matter of the very gravest import—one in respect to which no American statesman or citizen can possibly be indifferent. We have a character among the nations of the earth to maintain. All our public functionaries as well those who advocate this measure as those who oppose it, however much they may differ as to its effects, will am sure, be equally solicitous for the performance of this first of duties.

has hitherto been our pride and our boast, that, whilst the lust of power, with fraud and violence in its train, has led other and differently constituted governments to aggression and conquest, our movements in these respects have always been regulated by reason and justice. disposition to detract from our pretensions in this respect, will, in the nature of things, be always prevalent elsewhere and has, at this very moment, and for special causes, assumed, in some quarters, the most rabid character. Should not every one, then, who sincerely loves his country—who venerates its time-honored and glorious institutions—who dwells with pride and delight on associations connected with our rise, progress and present condition—on the step with which we have advanced to present eminence, in despite of the hostility, and in contempt of the bitter vilings of the enemies of freedom in parts of the globe—consider, and deeply, whether we would not, by immediate annexation of Texas, place a weapon in the hands of those who look upon us and our institutions with distrustful and envious eyes, that would do us more real, lasting injury as a nation, than the acquisition of such a territory, valuable as it undoubtedly could possibly repair? It is said, a truly said, that this war between Texas and Mexico has already been of too long duration. We are and must continue to be more or less annoyed by its prosecution, and, have undoubtedly, as has been remarked, an interest in seeing it terminated. But can we appeal to any principle in the law of nations, to which practice a scrupulous adherence, would under present circumstances, justify us in interfering for its suppression in a manner that would unavoidably make us a party to its further prosecution? In this position be made sufficiently clear to justify us in committing the peace-honor of the country to its support!

In regard to the performance by us that duty, so difficult for any government to perform—the observance of honest neutrality between nations at war—we can now look through our whole career, since our first admission into family of nations, not only without blush, but with feelings of honest pride and satisfaction. The way was opened by President Washington himself, in circumstances of the most difficult character, and at no less hazard than the exposing ourselves to plausible, yet just, imputations of infidelity to stipulations. The path he trod of such unflinching steps, and which led to such beneficial results, has hitherto been pursued with unvarying fidelity by every one of his successors of whom it comes me to speak.

If our sympathies could induce departure from a policy which has much in its commencement to commend it, and such advantages to recommend its continuance, they would draw us to the side of Texas. That the happiness of her people would be promoted by the maintenance of independence, I have no doubt. If any, efforts for the extensions of blessings of free government in part of the world have been made since the establishment of our own independence, that have failed to excite earnest and sincere wishes for success. But they have never been permitted to withdraw us from the faithful performance of our duty as a nation. They were excited, and duly, too, at the commencement of French revolution; they were revived the struggle of the South American states for the establishment of their independence; they have been put to severest trial in this very contest between Texas and Mexico. Yet, in whole period of time, amidst the convulsions of empires, and the lawlessness of power by which many of our possessors have been distinguished, has been a cardinal point in the administration of the affairs of this republic which was laid down by Washington, enforced by Jefferson, and repeated with unabated sincerity, by successors.

There is another circumstance which is well calculated to mislead on this subject. Many, if not most, persons to be affected by the details of this question, were once citizens of the United States, and have still relatives and friends amongst us. not unaware of the hazard to which exposing my standing with the late speaking thus unreservedly upon a so well calculated to excite deep